

These minutes were approved by the Zoning Administrator on 06-24-15.

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
June 17, 2015**

1. CALL TO ORDER

A Regular Meeting of the City of San Clemente Zoning Administrator was called to order on June 17, 2015 at 3:00 p.m. in Conference Room A of the Community Development Department, located at 910 Calle Negocio, San Clemente, California, by Zoning Administrator Jim Pechous

Staff Present: Jim Pechous, Zoning Administrator (ZA); Sean Nicholas, Associate Planner; Adam Atamian, Associate Planner; and Kimberly Maune, Office Specialist II

2. MINUTES

The minutes of the Zoning Administrator meeting of June 3, 2015 were approved.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 638 Camino De Los Mares, Suite C240/250 – Minor Conditional Use Permit 15-126 – Barre3 (Atamian)

Public Hearing to consider a request to establish a group instruction fitness studio in the Ocean View Plaza commercial center located at 638 Camino De Los Mares, Suite C240/250, within the Community Commercial (CC2) zone. The legal description is Lot 6, of Tract 1127, Assessor's Parcel Number 675-091-09.

Associate Planner Adam Atamian summarized the staff report.

Applicant Nicki Insley was present and stated she lives in San Clemente and is excited to open a business here. She also has a studio in Laguna Niguel.

Matthew Berger, representative of the landlord, Brixmor Property Group, asked if the class size is limited to 28 students. Mr. Atamian responded yes, noting that occupancy restrictions ensure continued compliance with

parking requirements, which, for this type of use, is based upon number of occupants.

ZA Pechous opened the public hearing, and there being no one desiring to speak to this issue, closed the public hearing.

ZA Pechous stated the staging of times between classes and the installation of soundproofing are standard best management practice steps taken by the City. He stated this is an allowable use in the center, it is consistent with the other uses within the center, and there is adequate parking capacity to accommodate the class sizes.

ZA Pechous directed staff to modify condition of approval nine to state that there will always be a minimum of 15 minutes between the end of one class and the beginning of the next. Mr. Atamian stated originally it was going to be 30 minutes. Ms. Insley stated 15 minutes is ample time.

Action: The Zoning Administrator approved Minor Conditional Use Permit 15-126, Barre3, subject to Resolution ZA 15-028 with attached Conditions of Approval including the modification to condition number nine as stated above.

ACTION SUBJECT TO APPEAL OR CALL-UP BY CITY COUNCIL

B. 152 West Avenida Junipero – Minor Exception Permit 15-118/Minor Architectural Permit 15-175 – Lantz Residence (Nicholas)

Public Hearing to consider a request to add 551 square feet to an existing single-story single family residence and continue a nonconforming side yard setback that encroaches two inches into the required six foot setback. The residence will remain single-story with the addition. The project is located at 152 West Avenida Junipero within the Residential Low density zoning district (RL-CZ), legal description being Lot 32 and a portion of Lot 33, of Block 8, of Tract 852, Assessor's Parcel Number 692-191-30.

Associate Planner Sean Nicholas summarized the staff report. Mr. Nicholas stated staff received email and written correspondence from neighbors that was forwarded to the ZA for his consideration. In response to the neighbor's question why the building cannot be moved back to meet the setback, staff responded it would be project prohibitive if they had to move the existing wall in two inches, due to existing utilities, and it is common to allow minor encroachments in older areas of the City.

ZA Pechous asked if the applicant would have to go through the discretionary review process if they were just to remodel the interior of the

home and maintain the existing two inch encroachment setback. Mr. Nicholas responded no, the applicant has a Building Permit already active for that purpose.

ZA Pechous stated this encroachment request is specifically for the addition that extends out the back of the structure, approximately ten feet, and a small portion of the front, approximately five feet. Mr. Nicholas stated all setbacks are met except the two inch encroachment into the side setback to be maintained.

Designer and engineer Iain Buchan was present and stated this is a wider lot. By the ten percent rule, the majority of the houses on this street are allowed to have a four and half foot side yard setback; because this is on a curve and a pie shaped lot, the average setback for the lot is six feet. In keeping with the character of the neighborhood, as viewed from the street, the majority of the houses on the street are allowed to have a four and a half foot setback. Asking to maintain the two inch encroachment is a modest request and will maintain a consistent line down the side of the house.

Contractor Taylor Helm was present and stated that on the side of the house where this two inch encroachment is being requested the house adjacent has a lot grade which is five feet higher than this lot. No views will be impaired and the wall of the home being remodeled will not be visible.

Owner Kathryn Morrison Lantz was present and stated the neighbor across the street may have some concerns because of a past problem between them.

ZA Pechous opened the Public Hearing.

Diane McDonald and Dr. Jane Morrison were present and both stated they support the project.

There being no others wishing to speak, ZA Pechous closed the Public Hearing.

ZA Pechous stated he supports the request for the two inch encroachment because:

- this is not uncommon in southwest San Clemente;
- even with the two inch encroachment, due to the lot width, the side yard setback is larger than most on the street;
- reduced setbacks on the street are common due to nonconforming situations;

- this is a modest addition for this neighborhood;
- this is a beautiful addition which is in character with the neighborhood;
- there will be minimal or no impact to the neighborhood;
- this is preferable to mansionizing the house, which could be done if they rebuilt rather than remodeled the house.

Action: The Zoning Administrator approved Minor Exception Permit 15-118/Minor Architectural Permit 15-175, Lantz Residence, subject to Resolution ZA 15-029 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL OR CALL-UP BY CITY COUNCIL

5. NEW BUSINESS

None

6. OLD BUSINESS

None

ADJOURNMENT

The meeting adjourned at 3:30 p.m. The next Regular Zoning Administrator meeting will be held on July 8, 2015 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR



Jim Pechous